

ARGUMENTS/REMARKS

Applicant would like to thank the examiner for the careful consideration given the present application. The application has been carefully reviewed in light of the Office action, and amended as necessary to more clearly and particularly describe and claim the subject matter which applicants regard as the invention. Applicant respectfully submits that the present application is in a condition for allowance in view of the following remarks.

Rejections Under 35 U.S.C. §101

Claims 1, 13-14, and 22 were rejected under 35 U.S.C. §101 as being directed toward non-statutory subject matter. For the following reasons, the rejections are respectfully traversed.

Claim 1, as amended, recites a computerized surveying system for collecting survey information comprising a “communication device”, a “server”, an “interactive voice recognition unit including a computer for executing software ” for performing a specified function, a “database server”, a “survey presentation unit including a computer for executing software” for performing a specified function, and a “voice recorder”. These are all devices that fall into the statutory category, and thus the system comprising these devices is also statutory subject matter, non of which are mere “software”. Thus, claim 1 is allowable, as are claims 13-14 and 22, which depend on claim 1.

Claims 6, 15-18, and 24 were rejected under 35 U.S.C. §101 as being directed toward non-statutory subject matter. For the following reasons, the rejections are respectfully traversed.

Claims 6, 15, 19, and 24 have been amended to recite that the method is a “method of using a computerized surveying system including at least one computer”, with the appropriate method steps being amended to recite that it is the computerized system that is performing that method. Accordingly, the methods are tied to a particular

machine (the computerized survey system), and thus satisfy the requirements of the cited caselaw. The remaining claims depend on one of the above discussed claims, and thus are also patentable subject matter.

In consideration of the foregoing analysis, it is respectfully submitted that the present application is in a condition for allowance and notice to that effect is hereby requested. If it is determined that the application is not in a condition for allowance, the examiner is invited to initiate a telephone interview with the undersigned attorney to expedite prosecution of the present application.

If there are any additional fees resulting from this communication, please charge same to our Deposit Account No. 16-0820, our Order No. QUAL-32668.

Respectfully submitted,
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